

**REGULATION OF INVESTIGATORY POWERS (RIPA)  
ANNUAL REPORT 2019-20**

<b>Purpose:</b>	To report on the operation of the Authority's use of covert surveillance, conducted under the provisions of The Regulation of Investigatory Powers Act (RIPA) 2000 for the period 1 April 2019 to 31 March 2020
<b>Policy Framework:</b>	Transformation & Future Council
<b>Consultation:</b>	Access to Services, Legal, Finance.
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<b>FOR INFORMATION</b>	

**1. Introduction**

- 1.1 The Regulation of Investigatory Powers Act (RIPA) 2000 allows local authorities to conduct covert surveillance activity in circumstances where it is for the purpose of preventing or detecting crime or of preventing disorder. It also allows local authorities to acquire communication data from Communication Providers.
- 1.2 The process must be in accordance with the Home Office's Code of Practice for Covert Surveillance and Code of Practice on Acquisition of Communication data and this report has been prepared in line with best practice.
- 1.3 This report will provide an overview of the Authority's practices and activity regulated by RIPA.

**2.0 Service Delivery**

- 2.1 A list of authorised officers is shown in Appendix A. (Table 3)
- 2.2 Table 1 below shows the types of surveillance permitted under RIPA for Local Authority use, comparing annual usage over the last 5 years.

<b>TABLE 1 - Surveillance Permitted Under RIPA</b>					
	<b>2015-2016</b>	<b>2016-2017</b>	<b>2017-2018</b>	<b>2018-2019</b>	<b>2019-2020</b>
Directed	1	0	0	0	0
Interception of Communications	0	0	0	0	0
Acquisition / Disclosure of Communications Data	0	0	0	0	0
Covert Human Intelligence Source	0	0	0	0	0

### 3.0 Process & Procedure

- 3.1 The Process & Procedure that Swansea Council must follow is available on: <https://www.swansea.gov.uk/staffnet/ripaoverview>. The Policy was reviewed during 2019 and updated in September 2019 to reflect necessary legislative and officer changes.

### 4.0 Acquisition and Disclosure of Communications Data

- 4.1 Since 8 February 2012, Swansea Council has subscribed to the National Anti-Fraud Network (NAFN)'s Single Point of Contact Services to acquire this information. Annual Returns are provided to the Interception of Communications Commissioner's Office on a calendar year basis.

### 5.0 Surveillance Activity

- 5.1 Table 2 below shows the use of RIPA by services and its purpose within Swansea Council

<b>TABLE 2 - Use of RIPA</b>		
<b>Directed Surveillance</b>		
	0	
<b>Covert Human Intelligence Source</b>		
	0	
<b>Acquisition and Disclosure of Communications Data</b>		
	0	

- 5.2 Swansea Council operates an extensive Closed Circuit Television (CCTV) system to provide a safer environment for the community. The system is managed and developed in partnership with the South Wales Police. The use of CCTV is not covered by the same regulations as the surveillance reported on above as it is an overt not covert method of observation. The use of fixed

CCTV systems and that of Body-Worn Video Cameras is covered by separate Council policies which are publicly available.

## **6.0 Equality and Engagement Implications**

- 6.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of its functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment (EIA) process ensures that we have paid due regard to the above.

- 6.2 An EIA Screening Form has been completed with the agreed outcome that a full EIA report was not required as this is a retrospective report on RIPA activity already handled and closed. The screening form is attached at Appendix 7.

## **7.0 Financial Implications**

- 7.1 All costs incurred in dealing with RIPA have to be covered within existing budgets.

## **8.0 Legal Implications**

- 8.1 As set out in the Report

**Background Papers:** None

**Appendices:** Appendix A – Authorised Officers

## Appendix A

<b>TABLE 3 – RIPA Authorised Officers</b>	
<b>Name</b>	<b>Department / Section</b>
Lynda Anthony	Environmental Health
Peter Richards	Environment Health (Trading Standards)